



DELTA STEWARDSHIP COUNCIL

A California State Agency

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RE: Addendum for the Tule Red Tidal Restoration Project, SCH # 2003112039

Dear Ms. Beltran:

Thank you for the opportunity to comment on the California Environmental Quality Act (CEQA) Addendum for the Tule Red Restoration Project to the Suisun Marsh Plan Habitat Management, Preservation, and Restoration Plan (SMP) Environmental Impact Statement (EIS) / Environmental Impact Report (EIR), hereafter referred to as the "CEQA Addendum."

In our previous comment letter dated 11/2/15 in response to your Notice of Preparation of this CEQA Addendum, we encouraged you to consider whether the Tule Red Restoration Project is a "covered action" under the Delta Plan and if so, to file a certification of consistency. We highlighted a few Delta Plan regulatory policies that are commonly germane to habitat restoration projects and recommended you also consider our non-regulatory Delta Plan recommendations. We appreciate that the CEQA Addendum addresses each of the policies as well as the recommendations we highlighted and anticipate that this work can be a foundation upon which SFCWA prepares a Delta Plan consistency certification.

Below we have a few suggestions for how to further demonstrate consistency with the Delta Plan policies.

Adaptive Management

Delta Plan Policy **G P1** (23 CCR Section 5002) calls for ecosystem restoration projects to include adequate provisions for continued implementation of adaptive management, appropriate to the scope of the action; this requirement can be satisfied through the development of an adaptive management plan that is consistent with the framework described in Appendix 1B of the Delta Plan (<http://deltacouncil.ca.gov/docs/appendix-1b>), along with documentation of adequate resources to implement the proposed adaptive management process.

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

We are encouraged to hear that a draft of the adaptive management plan will be forthcoming and has been developed with regular coordination with the California Department of Fish and Wildlife (CDFW) team leading the Interagency Ecological Program (IEP) Tidal Wetlands Monitoring Project Work Team. It is important that this restoration project incorporates a monitoring framework that is comparable with other restoration projects in the region so that it can contribute to greater understanding of tidal marsh evolution and aquatic foodweb processes in the Delta and Suisun Marsh and inform the design of future tidal wetland projects.

In order to demonstrate full consistency with G P1 requirements, SFCWA should ensure that a full draft of the adaptive management plan is completed prior to submission of a Delta Plan consistency certification for the Tule Red Restoration Project. In addition, SFCWA should explicitly describe how the project's proposed monitoring and adaptive management plan will be funded and how that funding will be assured. As mentioned in our previous letter, Delta Science Program's Adaptive Management Liaisons are available to provide further consultation and guidance to help SFCWA with completion of the adaptive management plan. Please contact Maggie Christman (maggie.christman@deltacouncil.ca.gov) of the Delta Science Program to arrange those discussions.

Best Available Science

Delta Plan Policy **G P1** (23 CCR Section 5002) also states that covered actions must document use of best available science. Best available science should be consistent with the criteria listed in Table 1A-1 of Appendix 1A of the Delta Plan regulations (<http://deltacouncil.ca.gov/docs/appendix-1a>), including relevance, inclusiveness, objectivity, transparency and openness, timeliness and peer review.

The CEQA Addendum includes a section that describes how SFCWA attempted to incorporate best available science during the design and development of the project, including meetings with technical experts at the Fishery Agency Strategy Team (FAST), the Adaptive Management Advisory Team (AMAT), and Tule Red Expert Panel. Although professional judgment can in certain circumstances be the best available science, we encourage proponents to also rely upon peer reviewed journal articles and agency reports, in addition to anecdotal accounts and professional judgment.

One way we advise project proponents to demonstrate the use of best available science, for the purposes of demonstrating consistency with Policy G P1 is through the development of a robust, scientifically driven adaptive management plan. Such a plan would be developed with guidance from a broad suite of peer-reviewed publications, agency reports, and professional judgments of known subject matter experts, with references incorporated throughout the document to help elucidate how those materials informed different components of the adaptive management plan.

Invasive Species

Delta Plan Policy **ER P5** (23 CCR Section 5009) calls for avoiding new introductions or improving habitat conditions for nonnative invasive species. The CEQA Addendum includes the current standard array of best management practices (BMPs) to avoid new introductions of invasive weeds during the construction process. The Tule Red property contains many acres infested by the invasive *Phragmites australis*, which we raised as a concern in our previous comment letter. Once the Tule Red project area is restored to full tidal action, it will be substantially more challenging to address existing invasive vegetation problems.

The CEQA Appendix clarifies that much of the *Phragmites* infestation is along the natural berm adjacent to Grizzly Bay, and that removal of their stands would compromise the structural integrity of this berm. To the extent feasible, we encourage the design of the project to include a focus on removing *Phragmites* during the construction phase, at least within the project area landward of the natural berm; this will help reduce the possibility of uncontrollable *Phragmites* colonization and expansion after the site is breached as has occurred on the Blacklock restoration site in northeast Suisun Marsh.

We know that you are keenly aware of the *Phragmites* issue and have considered a few remediation options for this project such as vegetation burning or machinery-based physical removal; these strategies though have faced major permitting challenges and constraints such as air quality regulations and endangered species protection measures. As such, addressing this particular issue in a manner that is consistent with ER P5 will require creative solutions and cooperation between the various responsible agencies. We encourage you to incorporate invasive species management strategies within the forthcoming adaptive management plan.

Final Remarks

We look forward to continued early consultation with SFCWA regarding this project to ensure consistency with the Delta Plan. I encourage you to contact Daniel Huang at Daniel.Huang@deltacouncil.ca.gov for any questions you have.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jessica Davenport".

Jessica Davenport
Acting Deputy Executive Officer, Planning
Delta Stewardship Council